

ASSEMBLY BILL

No. 1136

Introduced by Assembly Member Swanson

February 18, 2011

An act to add Section 6403.5 to the Labor Code, relating to employment safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1136, as introduced, Swanson. Employment safety: health facilities.

Existing law regulates the operation of health facilities.

Existing law, the California Occupational Safety and Health Act of 1973, establishes certain safety and other responsibilities of employers and employees, including the requirement that employers provide safety devices or safeguards reasonably necessary to render the employment safe.

This bill would require an employer to have a zero lift/safe patient handling policy for patient care units, and to provide trained lift teams or staff trained in safe lifting techniques in each general acute care hospital. The policy would require the replacement of manual lifting and transferring of patients with powered patient transfer devices, lifting devices, or lift teams, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6403.5 is added to the Labor Code, to
2 read:

- 1 6403.5. (a) An employer shall maintain a zero lift/safe patient
2 handling policy at all times for all patient care units, and shall
3 provide trained lift teams or other support staff trained in safe
4 lifting techniques in each general acute care hospital. The employer
5 shall provide training to health care workers on appropriate use of
6 lifting devices and equipment, body mechanics, and the use of
7 lifting devices to handle patients safely.
- 8 (b) As the coordinator of care, the registered nurse shall be
9 responsible for the observation and direction of patient lifts and
10 mobilization, and shall participate as needed in patient handling
11 in accord with the nurse's job description.
- 12 (c) For the purposes of this chapter, "zero lift/safe patient
13 handling policy" means a policy that requires replacement of
14 manual lifting and transferring of patients with powered patient
15 transfer devices, lifting devices, or lift teams, consistent with the
16 employer's safety policies and the professional judgment and
17 clinical assessment of the registered nurse.